

### **Amend Title of Chapter 2.**

The title is amended by striking the word “Act”, which is used incorrectly as a title of the regulations. The word “Act” is used to identify a decree of the legislature and contains the statutes for the authority of these regulations. It is confusing when used to identify the regulations.

### **Repeal Title of Subchapter 1.**

The title of subchapter 1 is repealed. Subchapter 2 is renumbered to chapter 2.2 Special Occupancy Parks. Consequently, the designation “Subchapter 1” is no longer needed.

### **Amend Section 1000.**

**Subsection (a)** is amended to include references to terms contained in the Health and Safety Code, which contain specific provisions not currently in the regulations. HCD has added the terms “MH-unit”, “building component”, and “recreational vehicle” to this section, to accurately reflect all aspects regulated under the statute.

**Subsection (b)** is added to inform the reader that the specific provisions applicable to special occupancy parks are located in Chapter 2.2 of this division.

**Subsection (c)**, previously subsection 1634(b), is relocated to this subsection because it relates to the administration and enforcement of existing installation and construction applications. It is amended to clarify that it applies to “existing construction”, installations, and connections, which are not required to conform to current regulatory requirements as long as they are not substandard. Although the subsection did apply to existing installations and connections, this was not stated specifically. This amendment now makes explicit the implied intent of the subsection by including a list of possible existing construction to clarify the possibilities for the regulated public. Finally, it is amended by replacing the term “unsafe or unsanitary” with “substandard” to maintain consistency of language:

~~1634(b)~~ (c) Existing construction, connections, and installations of units, accessory buildings and structures, building components, plumbing, electrical, fuel gas, fire protection, earthquake resistant bracing, and permanent buildings made before the effective date of the requirements of this subchapter may continue in use so long as they were in compliance with requirements in effect at the date of their installation and are not found to be substandard unsafe or unsanitary.

The referenced citation to the public utility exemption is stricken because it duplicates a statute and is therefore unnecessary.

Health and Safety Code Sections 18303 and 18304 were added to the reference note.

Section 18303 exempts public parks from these regulations, and section 18304 exempts public utility facilities and apartment or hotel type dwellings, in this part, from regulation.

section 18301 was deleted because it was repealed by Chapter 434 of the Statutes of 2001.

### **Amend Section 1002.**

This section alphabetically lists definitions for this chapter with a naming and numbering convention for ease of use. The introduction to this section is amended by restricting the use of the definitions to this chapter because the same terms are used in Chapter 2.2, but may have slightly different meaning. It is also amended to reference the “California Code of Regulations” rather than the outdated title, “California Administrative Code”. This amendment is necessary to update the text to current usage and is a change without regulatory effect. The alphabetic letter for words that begin with that letter is presented in bold to add emphasis and make the definitions easier to locate.

Each of these terms could be defined in multiple ways; consequently the definitions contained in these regulations are needed to ensure their specific meanings.

**Subsection (a)** is added to indicate definitions that begin with the letter “A”.

(1) **“Accessory building or structure”**- This definition is added because, although it is referenced many times in existing regulations, it has never been clearly defined. The definition includes all items referenced as accessory buildings or structures in the existing regulations. This definition is brought forward from Health and Safety Code section 18213, into regulation, and then amended for the convenience of the reader.

(2) **“Architect”**- This term has been editorially amended.

(3) **“Awning”**- The definition is amended to clearly identify it as an accessory structure and allow awnings to be partially supported by the unit or accessory structure.

(4) **“Awning Enclosure”** – This language is added for clarification purposes for the reader, to avoid confusing awning enclosure parameters with other habitable accessory buildings or structures. Because it is non-habitable and considered exterior to the unit, different requirements for construction, energy, electrical, mechanical and plumbing apply. The definition includes a building component, and will provide the manufacturers of both accessory buildings or structures and building components, a better understanding of the habitability identification and requirements of awning enclosures on lots within parks. This is also amended to clarify that this structure is an “accessory structure”.

(5) **“Awning, Freestanding”**- The definition is amended to maintain consistency with the other awning definitions, and to incorporate the terms “unit”, to replace “home”, which inappropriately includes park trailers or recreational vehicles, and “accessory” prior to the word “structure” to maintain consistency in terminology. The other changes are editorial and non-regulatory. This is also amended to clarify that this structure is an “accessory structure”.

(6) **“Awning, Window or Door”**- The definition is amended to broaden the definition to include doors, and to specify that this style of awning is an accessory structure used for shade that can be attached to an accessory building or structure, as well as a unit itself. This is also amended to clarify that this structure is an “accessory structure”.

**Subsection (b)** is added to indicate definitions that begin with the letter **“B”**.

(1) **“Branch Water Service Line”**- The definition is amended to add the word “water” to the title, to distinguish it from gas, drain, or electrical service lines.

(2) **“Building Components”**- The title is amended by removing “closed” and “and systems” to match the definition with references contained in existing regulations. This definition is amended because it was relocated from a previously deleted appendix in this chapter prior to the adoption of a definition in California Factory-built Housing Law and now reflects the current definition of “building component” (H&SC 19967). This is added for clarity and to assure that the references match.

(3) **“Building Standard”**- This term is added to clarify the differences in requirements for permanent buildings versus other structures within parks, which are subject to this chapter.

**Subsection (c)** is added to indicate definitions that begin with the letter **“C”**.

(1) **“Cabana”**- The definition is amended to clarify the structure must be freestanding, and is either a building component or accessory building or structure that may be associated with an MH-unit. The word “habitation” is replaced with “human occupancy” because “human occupancy” may refer to many different types of structures, i.e. businesses, storage buildings, assembly rooms, etc. and the word “habitation” more accurately describes a dwelling place.

**Subsections (c)(2), (3), (4), (5)** are definitions added to clarify Title 24, Parts 2, 3, 4, 5 and 9 which contain the requirements for construction within parks and to define that the California Building, Electrical, Mechanical, and Plumbing Codes are contained in the California Code of Regulations, Title 24, for those persons unfamiliar with Title 24.

(2) **“California Building Code”**. California Code of Regulations, Title 24, Part 2.

(3) **“California Electrical Code”**. California Code of Regulations, Title 24, Part 3.

(4) **“California Fire Code”**. California Code of Regulations, Title 24, Part 9.

- (5) **“California Mechanical Code”**. California Code of Regulations, Title 24, Part 4.
- (6) **“California Plumbing Code”**. California Code of Regulations, Title 24, Part 5.
- (7) **“Carport”**- The definition is amended to contain the same definition as an “awning” with the exception of identifying it for vehicle parking. This is necessary because a carport is the same as, and has the same requirements of, an awning.
- (8) **“Certificate of Occupancy”**- This language is added because although referenced in existing laws and regulations, no previous definition existed. Additionally, so the reader will know when this document is issued by the enforcement agency, it is confirmation that an MH-unit or commercial modular, installed on a foundation system to be recorded as a fixture upon the property, complies with the installation requirements of this chapter. Currently, there is no definition for this term.
- (9) **“Certification”**- This definition is relocated from existing section 1370.6 of this chapter to consolidate all definitions. It is editorially amended for clarity because showing the amendment in strikeout and underline text would have been confusing to read, so it is shown here as new text.
- (10) **“Cited Person”**-This definition is added to clarify who will be served with and responsible for the notice of violation.
- (11) **“Common area”**- This language is added to identify the specific areas within a park that are not associated with any one resident’s lot.
- (12) **“Commercial Modular”**-This definition is brought forward from statute, (H&SC 18001.8), for ease of use by the regulated public.
- (13) **“Concrete Block Pier”**- The definition is amended for clarity. Other changes are editorial and non-regulatory.
- (14) **“Concrete Pier”**- The definition is amended by adding “load-bearing” because it supports the load of the unit and to replace the term “home” with the more inclusive term “unit”. The end of the definition is deleted because it is repetitious language. It is also amended editorially.
- (15) **“Contractor”**- This definition is relocated from section 1370.6 to consolidate the definitions in one location. The amendments are editorial and non-regulatory.

**Subsection (d)** is added to indicate definitions that begin with the letter **“D”**.

Existing subsection (k) **“Decal of Approval”**- The definition is repealed because both section 1520 and Appendix B, where the term exists, are repealed; there is no longer a reference in the regulations to this term.

- (1) **“Department”**- The definition is amended for clarity and relocated from section 1370.6 of this chapter to group all definitions in one section.
- (2) **“Dependent Unit”**- This term is used, but not defined in these regulations and is added for clarity.
- (3) **“Drain Connector”**- The definition is amended for clarity and to include an “accessory building or structure” in the definition because they too may have plumbing. Other changes are editorial and non-regulatory.
- (4) **“Drain Outlet”**- The definition is amended by including “a unit’s, accessory building or structure sewage” because they too may have plumbing. Other changes are editorial and non-regulatory.

Existing subsection (p) **“Driveway”**- Is repealed because all references in these regulations have been repealed.

**Subsection (e)** is added to indicate definitions that begin with the letter **“E”**.

- (1) **“Earthquake Resistant Bracing System”**- The definition is relocated from section 1370.6 of this chapter. It is amended by striking language “or represented as having been designed and constructed” because it must actually be designed and constructed for the purpose of protecting the unit and its occupants. It is also amended editorially. The term

“mobilehome or manufactured home” is replaced with “MH-unit” because this definition includes multi-unit manufactured housing so the newly defined term is used.

**(2) “Electrical Feeder Assembly”**- The title is amended by adding the word “electrical” to make it clear the definition applies to electricity. The definition is amended by deleting the word “undervehicle” because mobilehomes and manufactured homes used to be registered with the Department of Motor Vehicles and were once considered “vehicles”. Additionally the phrase “source of supply” is replaced with “service equipment” as a more accurate term and the term “accessory building or structure” is added because they can also be supplied by a feeder assembly.

**(3) “Electrical Service, Park”**- The title is reformatted for consistency with other definition titles. The definition is amended to be specific to “electrical” service in all parks.

**(4) “Electrical System, Park-Primary”**- The title is reformatted for consistency and amended by adding the terms “Electrical” and “Park Primary”, to make it clear the definition applies to electricity and is in a format consistent with the other titles. The definition is also amended to allow different incoming voltages and to clarify that the voltage from the primary system is distributed to voltage of the secondary system.

**(5) “Electrical System, Park-Secondary.”**- The title is reformatted and amended by adding the terms “electrical” and “Park-Secondary”, for clarity and to be consistent with the other titles. The definition is also amended to change “115/230” to the currently recognized standard of “120 volts or 120/240 volts”, which is the voltage typically provided by utility companies.

**(6) “Electrical Wiring System, Park”**- The title is reformatted and amended to a format consistent with the other titles. The definition is corrected by deleting “wiring, and fixtures” because these items are included in “equipment” and to include “units, and accessory buildings or structures”, as not included in “park” electrical wiring systems. The term “permanent” is added to be consistent with the definition of a permanent building as defined in HSC 18214.5.

**(7) “Emergency”**- This definition is added for clarity and used in the regulations to identify when action is required by the responsible person for the park.

**(8) “Energize”**- This definition is added for clarity and to allow for a single word when various utilities are initially turned-on or applied.

**(9) “Enforcement Agency”**- This language is brought forward from statute (H&SC 18207 and 18862.17) and amended for clarity.

**(10) “Engineer”**- Only editorial non-regulatory changes are made to the definition.

**(11) “Equipment”**- This definition is added for clarity to identify the parts and materials and types of structures they are utilized for.

**(12) “ERBS”**- The definition is relocated from section 1370.6 of this chapter. The definition is amended to include the term “acronym”, for clarity.

**(13) “ERBS-Manufacturer”**- The definition is relocated from section 1370.6 of this chapter. It is amended to replace mobilehomes or manufactured homes” with “MH-units” because multi-unit manufactured housing is included in this definition so the newly defined term is used. Additional amendments to the definition are non-regulatory and editorial.

**(14) “ERBS-Manufacturer’s Installation Instructions”**- The definition is relocated from section 1370.6 of this chapter. It is amended to replace mobilehomes or manufactured homes” with “MH-units” because multi-unit manufactured housing is included in this definition so the newly defined term is used. Additional amendments to the definition are non-regulatory and editorial.

**Subsection (f)** is added to indicate definitions that begin with the letter “F”.

**(1) “Feeder”**- The definition is amended for clarity and to differentiate it from an “electrical feeder assembly”, which is specifically used to a unit. The language regarding “the generator

switchboard of an isolated plant, and the branch circuit overcurrent protective devices” is deleted because it duplicates language in the definition of “Electrical, Park.”

**(2) “Fence”** – This definition is amended to remove the requirement that a fence be a wall structure that is more than 50 percent open because, originally, “fence” was defined to define open chain-link type fence material. Common construction now uses wood boards and the old definition conflicted with the current common description of this type of structure.

**(3) “Fire Agency”**- This definition is relocated from subsection 1300(a)(2) to place the definitions for the chapter in one location, it is also amended editorially.

**(4) “Fire Hydrant”**- This definition is relocated from subsection 1300(a)(3) to place the definitions for the chapter in one location. It is also amended to include the term “standpipe”, because many parks have wet standpipes, also known as “wharf hydrants” as part of the fire protection equipment.

**(5) “Fire Hydrant, Private”**- This definition is relocated from subsection 1300(a)(5) to place the definitions for the chapter in one location. It is reformatted to maintain consistency with the format of this section and to make it easier to locate. It is amended by including “wet standpipes” in the definition because they are part of some parks’ fire protection equipment.

**(6) “Footing”**- This definition is necessary to differentiate the portion of a support that distributes the load transferred by the pier to the soil.

**(7) “Forms”**- This definition is added to clarify the forms, as designated by the department, to be used for these regulations. This facilitates locating the applicable form because the information is not made obscure in the text of these regulations.

(A) Annual Permit To Operate (local enforcement agency), HCD 503B, dated 6/96.

(B) Application For Alternate Approval, HCD 511, dated 8/95.

(C) Application For Certification Of Manufactured Home Or Mobilehome Earthquake Resistant Bracing System, HCD 50 ERBSCERT, dated 7/95.

(D) Application For Permit To Construct, HCD 50, dated 6/96.

(E) Application For Permit To Operate, HCD 500, dated 9/00.

(F) Application For Standard Plan Approval, HCD 520, dated 3/95.

(G) Certificate of Occupancy, HCD 513C, dated 6/96

(H) Floodplain Ordinance Compliance Certification For Manufactured Home/Mobilehome Installations, HCD 547, dated 12/99.

(I) Manufactured Home Or Mobilehome Installation Acceptance (local enforcement agency), HCD 513A, dated 7/80.

(J) Manufactured Home Or Mobilehome Installation Acceptance, HCD 513B, dated 6/96.

(K) Permit To Operate (local enforcement agency), HCD 500A, dated 6/96.

(L) Plot Plan, HCD 538, dated 5/01.

(M) Private Fire Hydrant Test And Certification Report, HCD MP 532, dated 1/03.

(N) School Impact Fee Certification, HCD MP 502, dated 3/01.

**(8) “Foundation System”**- The definition is amended to define current, approved installation systems, which are not required to be below grade and may be removed. The phrase “MH-unit or commercial modular” is being added to identify those units which may utilize this type of installation. It is divided into subsections for clarity to define the two types of installations that can result from the use of a foundation system.

**Subsection (8)(A)** is added to define the type of installation that is recorded with the county recorder’s office as a fixture or improvement to real property and is installed as required by statute (H&SC 18551(a)).

**Subsection (8)(B)** is added to define the type of installation that is not recorded with the county recorder’s office because it remains personal property and is installed as required by statute (H&SC 18551(b)).

These subsections are added because the installation of the specified units on identical foundation systems is often confused because it is not the foundation system, but whether or

not there is recordation that determines whether it is a real property fixture. This is added to clarify the requirements and status of the specific type of installation on a foundation system.

**Subsection (g)** is added to indicate definitions that begin with the letter “G”.

(1) “**Garage**”- The definition is amended by deleting the word “private” to utilize the common term of the structure and make locating the definition easier. It is amended to be consistent with current definitions contained in “building standards”.

(2) “**Gas Connector**”- The definition is amended by deleting “metal” because some units use an approved non-metallic hose. The word “listed” replaces “approved” because all connectors must be listed by an approved testing agency. The phrase “of a unit”, is added to provide a broader definition for general applicability, and this subsection is editorially amended for clarity.

(3) “**Gas Piping System, Park**”- This term is added to distinguish the gas system distributing gas throughout the park, from the gas distribution system within a building or unit.

(4) “**Gas Riser Outlet**”- The title is amended editorially by moving the term “outlet” to the end. The definition is amended to apply to “park” gas systems, and to “lots”, not restricting it specifically to “home sites”, and to correct the riser location. Some of the older parks do not have outlets at the site, but adjacent to the site, or lot.

(5) “**Gas Service Lateral**”- The title is amended by adding the term “service” because it more accurately identifies the specific section of the park gas piping system. The definition is amended by adding and deleting language to identify the gas line that provides the service to the lot gas riser outlet from the main park gas piping system.

(6) “**Good Cause**”- This definition is added for clarity and to provide a standard against which a person’s acts or omissions can be measured.

“**Greenbelt**”- This definition is deleted because this term is no longer used in this chapter.

(7) “**Gross Floor Area**”- This definition is amended for clarity, so that the regulated public and public agencies use the same measuring standard.

(8) “**Ground Anchor**”- This definition is amended for clarity.

(9) “**Guardrail**”- This term is added to identify the vertical barrier providing protection around a porch and to distinguish it from the term “handrail” that is also proposed in these regulations.

**Subsection (h)** is added to indicate definitions that begin with the letter “H”.

(1) “**Habitable Room**”- The definition is amended by replacing “these regulations” with “this chapter” for clarity and by adding the terms “awning enclosures” and “unfinished cellars” because they are neither constructed nor designed for living, sleeping, cooking, or dining.

(2) “**Handrail**”- This term is added to identify the railing provided for hand grasping on a stairway or ramp and to distinguish it from the term “guardrail” which has different requirements (size, height, when required, etc.) and is generally utilized on a level surface. The term “guardrail” is also proposed in these regulations.

(3) “**Hearing Officer**”- This term is added to consistently identify who the person is that is authorized to conduct hearings.

“**Home**”- The definition is deleted. It has been replaced by the definition “unit”.

**Subsection (i)** is added to indicate definitions that begin with the letter “I”.

(1) “**Independent Unit**”- This definition is added to clarify a reference to distinguish it from “dependent unit”.

(2) “**Identification Label**” – Is added for clarity and to differentiate this label for accessory buildings or structures from other types of labels.

(3) “**Insignia or label of Approval**”- The definition is added for clarity, to update the reference to the federal regulations, and to include reference to the Health and Safety Code, which describes the different insignia requirements.

**“Installation-Closed Building Components”**- This definition is deleted because the regulations, where it is referenced (Section 1520 and Appendix B), will be repealed.

**“Installer”**- The definition is deleted because it is unnecessary and the term is too general and has a variety of meanings and applications.

**“In Substantial Part Manufactured”**- This definition is deleted because the original regulations referred to (Section 1520 and Appendix B) will be repealed.

**Subsection (j)** is added to reserve the letter designation for future definitions that may begin with the letter **“J”**.

**Subsection (k)** is added to reserve the letter designation for future definitions that may begin with the letter **“K”**.

**Subsection (l)** is added to indicate definitions that begin with the letter **“L”**.

**“Label of Approval”**- The definition is repealed. The general content was amended and redefined as “Identification label”.

**(1) “Landing, Stairway”**- This definition is added for clarity. The limitation on the size to 12 square feet is to differentiate a landing from a porch. Text is added to differentiate a landing used a part of a ramp because they have specific accessibility requirements that are located in the California Building Code.

**(2) “Listed”**- The term is brought forward from existing section 1370.6. The title is amended from “List” to “Listed” to reflect its use in this chapter, and the existing section is amended to include a thorough definition that reflects qualification of approved listing agencies to those approved by, and meeting the standards of, the department.

**“Listed Tie-down Assembly”**- The definition is repealed, and the listing information relocated to the definition for “Tie-down Assembly”, because all tie-down assemblies must be listed.

**(3) “Listing Agency”**- The definition is relocated from section 1370.6 of this chapter and amended to closely align with the same definition contained in currently adopted Manufactured Housing regulations in Title 25 of the California Code of Regulations section 4004.

**(4) “Load”**- This definition is amended for clarity.

**(5) “Lot Access”**- This term is added because, although it is referenced in existing regulations, it has not been defined.

**(6) “Lot Electrical Service Equipment, Park”**- The title is amended by adding the term “park” to be consistent with other titles in this chapter. The definition is amended to clarify that this equipment is the equipment to which a unit, listed appliance, accessory building or structure, or building component connects or disconnects from the park’s electrical supply and to clarify that the responsibility, up to the connection point, belongs to the park.

**(7) “Lot Water Service Outlet, Park”**- The title is amended by adding the term “park” to be consistent with other titles in this chapter. The definition is amended to specify where a user connects or disconnects from the park’s water service and to clarify that the responsibility for the service, up to the connection point, belongs to the park.

**Subsection (m)** is added to indicate definitions that begin with the letter **“M”**.

**“Manufacturer”**- The definition is repealed because the term is too general and has a variety of meanings and applications. It is also already defined elsewhere in statute and regulation (Manufactured Housing Act, Factory-built Housing Act and their regulations).

**(1) “MH-unit”** – This definition is added to eliminate the need to repeat the terms “a manufactured home, mobilehome, or multi-unit manufactured housing” throughout the regulatory text when a regulation refers specifically to these structures. This definition is

similar to the term “unit”, but specifically does not include recreational vehicles and commercial modulares. The use of this term will allow reference all these structures without having to repeatedly name each one individually.

**(2) “Maintenance Inspection”**- This definition is added for clarity. It refers to one of two types of inspections, a general park-wide inspection as contrasted to an inspection of a specific problem, or area or situation resulting from a complaint or other catalyst.

**“Miscellaneous Structures”**- The definition is deleted because it is too general and vague and the structures it referred to are now included in the definition “accessory building or structure”.

**(3) “Model”**- The definition is expanded to include designed systems that have different models; to remove the reference to “mobilehome” accessory structure, because they are not limited to mobilehome use; and to add “foundation system, earthquake resistant bracing system, or tiedown system” because the term is also applicable to them.

**“Modification”**- The definition is deleted because referenced regulations (Section 1520 and Appendix B), are repealed with this rulemaking.

**Subsection (n)** is added to indicate definitions that begin with the letter “**N**”.

**(1) “N.F.P.A.”**- The definition adds the term “acronym” in the description for accuracy.

**(2) “Nuisance”**- The definition is amended to be consistent with existing statutes defining nuisances. Cross-references have been included for clarity.

**Subsection (o)** is added to indicate definitions that begin with the letter “**O**”.

**(1) “Occupant”**- This definition is added for the use of these regulations only because it is necessary to identify the person utilizing a unit for notifications and correction of problems. The terms “occupant” or “resident” have different meanings in the Mobilehome Residency Law and the Recreational Vehicle Park Residency law, depending on tenure or ownership. The distinctions are irrelevant to this Health and Safety Code Chapter and no other term was as clear or appropriate as “occupant”.

**(2) “Occupied Area”**- The definition is amended to include “unit” as a replacement for “home” for consistency. The term “projections” is added because it influences air space. The term “building component” is added because it too contributes to the covering of the lot. The term “miscellaneous structures” is deleted because it is included in the definition for “accessory buildings or structures”.

**(3) “Operator”**- This definition is amended for clarity.

**(4) “Owner”**- The definition is amended to clarify and expand the qualification to include other types or methods of ownership.

**Subsection (p)** is added to indicate definitions that begin with the letter “**P**”.

**(1) “Park”**-The term is duplicated from statute (HSC 18214.1) and grammatically amended to identify the term for this chapter and to distinguish it from the definition contained in chapter 2.2 relating to Special Occupancy Parks.

**(2) “Park trailer”**- This definition is duplicated from Health and Safety Code 18009.3 and repeated in these regulations because a park trailer is often confused with a mobilehome or other types of recreational vehicles and the exact definition is necessary for clarity and specificity.

**(3) “Patio”**- The term is added to distinguish it from the term “porch”. The height limitation of eight inches is based on the fact that most of these types of structures are predominately constructed of wood. The Building Code requires that any wood within six inches of the ground be pressure treated or of natural resistance to termites and decay and so limits the type of wood used. The eight-inch height allows the use of all types of wood without the structural requirements of a higher platform.



- (4) **“Permanent Building”**- This definition is amended and rewritten for clarity and to identify that its use must be for park operation.
- (5) **“Permit to Operate”**- The term is added to define the required document, issued by the enforcement agency, that is necessary to operate a park.
- (6) **“Pier”**- This definition is necessary to identify the permitted construction materials and to differentiate the portion of a support that transfers the supported loads to a footing.
- (7) **“Porch”**- The definition is amended to clarify that it must be “freestanding”. Additionally, the minimum size has been increased from nine to 12 square feet, because a “landing” size has been increased from a maximum of nine to 12 square feet, to accommodate a larger door opening.
- (8) **“Power Supply Cord”**- The definition is amended to clarify the location of the source of power, and to maintain consistency with the terms used in this chapter for “park electrical service equipment”.
- (9) **“Private Fire Hydrant”**- This is included for reader convenience as a cross-reference to the defined term “Fire Hydrant, Private”.
- (10) **“Private Garage”**- is amended to provide a cross-reference to the defined term “garage”, where the text of this subsection has been relocated, which is a common usage term.

**Subsection (q)** is added to reserve the letter designation for future definitions that may begin with the letter **“Q”**.

**Subsection (r)** is added to indicate definitions that begin with the letter **“R”**.

- (1) **“Ramada”**- The definition is amended to clarify that other types of structures may be protected by a ramada other than just “homes”.
- (2) **“Ramp”**- This definition is added for clarity, to distinguish it from porches, patios, or stairways.
- (3) **“Recreational Vehicle”**- This definition is added and the complete definition is duplicated from Health and Safety Code section 18010 for clarity and repeated in these regulations because recreational vehicles are often confused with a mobilehomes and the exact definition is necessary for clarity and specificity.
- (4) **“Registered Owner”**- The definition is relocated from section 1370.6 of this chapter. It is amended editorially.
- (5) **“Resident”**- This definition is added for clarity to distinguish a person from either trespassers or park employees not residing on a lot.
- (6) **“Responsible Person”**- This definition is added to identify the person recognized as responsible for given situations.
- (7) **“Retaining Wall”**- This definition is added for clarity and to distinguish it from a “fence”.
- (8) **“Roadway”**- The definition is amended to include the term “vehicular traffic in a park” and to distinguish a roadway within a park from a public thoroughfare. The additional changes are editorial and non-regulatory.

**Subsection (s)** is added to indicate definitions that begin with the letter **“S”**.

- (1) **“Sanitation Station, Recreational Vehicle”**- The title is amended by moving “recreational vehicle” to the end to be consistent with other titles in this section. The definition is amended to be exclusive to recreational vehicles, and to correct grammatical errors.
- (2) **“Sewage Drain Lateral”**- Is amended by adding the word “Sewage” and changing the word “drainage” to “drain” in the title to better identify the necessary reference and by relocating it to this subsection to maintain the alphabetical listing. The text is also amended by replacing drainage with “sewage” to clarify that this term refers to the park waste disposal system and not the park storm drainage system. The other changes are editorial.

(3) **“Sewage Drainage System”**- The definition is amended by adding the word “Sewage” to the title to better identify the reference and by relocating it to subsection (s) to maintain the alphabetical listing. It is also amended by including “accessory building or structure” because those too may have plumbing. Other changes are editorial and non-regulatory.

(4) **“Sewer, Park”**- The title is amended by moving “park” to the end of the title and deleting “mobilehome”, to be consistent with other titles in this section and to make it easier to locate. The definition is amended by adding “sewage” to describe the drainage system to differentiate it from a storm drain system, and by adding “at the lot drain inlet or”, deleting “the lowest drainage lateral”, and adding “permanent” to clarify the locations of the start of a lot drainage system and a building drainage system.

(5) **“Shall”**- This definition is added for clarity.

(6) **“Skirting”**- This definition is added for clarity to permit consistent use of one term for these attachments.

(7) **“Standard Plan Approval, (SPA)”**- The title acronym is expanded to include the words so the reader will understand the reference. The definition is added for clarity.

(8) **“Stairway”**- This term is added for clarity to distinguish it from a ramp or other means of changing elevation. The run is limited to 30 inches to preclude having a series of landings or porches as an approach to a unit.

(9) **“Steel Pier”**- The definition is amended editorially.

(10) **“Storage Building”**- The term is added to distinguish it from the term “storage cabinet”.

(11) **“Storage Cabinet”**- The definition is amended to distinguish it from the proposed new definition for “Storage Building”. The size specifications have been changed to remain consistent with building standards and permit requirements added to these regulations which are consistent with the California Building Code.

(12) **“Support”**- This definition is added to identify the entire pier and footing assembly.

(13) **“Support System”**- The definition is amended by deleting specific reference to components of the support, because they are included in the definition of “support” to clarify which structures utilize this type of system.

**Subsection (t)** is added to indicate definitions that begin with the letter “T”.

(1) **“Technical Service”**- The term is added for clarity to distinguish it from other types of inspection services.

(2) **“Tensioning Device”**- The definition is editorially amended.

(3) **“Testing Agency”**- The definition is relocated from section 1370.6 and is editorially amended.

(4) **“Tiedown Assembly”**- The definition is amended to include information pertaining to listing requirements, because all tiedown assemblies must be listed.

(5) **“Tiedown System”**- The definition is amended to include the correct reference to “mobile” and “manufactured home”, instead of the term “home”.

**Subsection (u)** is added to indicate definitions that begin with the letter “U”.

(1) **“Unit”**- The term is added to the definitions in order to eliminate the need to repeat the terms “a manufactured home, mobilehome, multi-unit manufactured housing, or a recreational vehicle” throughout the regulatory text. The use of this term will allow the Department to reference all these structures without having to repeatedly name each one individually.

**Subsection (v)** is added to indicate definitions that begin with the letter “V”.

(1) **“Violation”**- This definition is added for clarity and to distinguish this term from the term “maintenance violation”

(2) **“Violation, Maintenance”**- This definition is added to distinguish this term from “general violation”, noted above.

**Subsection (w)** is added to indicate definitions that begin with the letter “**W**”.

(1) “**Water Connector**”- The definition is amended to include the terms “unit” and “accessory buildings or structures” to reflect current requirements that allow plumbing in these structures. It is also editorially amended.

(2) “**Water Distribution System**”- The definition is amended to accurately include all parks and to maintain consistency with the definition of “park’s lot water service” in this chapter.

(3) “**Water Main, Park**”- The title is amended by moving the term “park” to the end of the title and removing “mobilehome”. This will maintain consistency in formatting of titles in this section, include all parks, and make the definition easier to locate. It is also amended by adding the word “water” to clearly define the type of service lines.

(4) “**Water Supply Connection**”- The definition is amended to include “accessory buildings or structures” to reflect current requirements that allow plumbing in these structures. The word “home” is replaced with “unit” to maintain consistency with other definitions.

“**Windbreak**”- The definition is repealed because the definition has been incorporated into the definition for “fence”.

(5) “**Working Days**”- This definition is added for clarity and uses generally accepted exclusions.

(6) “**Workmanlike**”- This definition is added to clarify the standards for the required quality of work performed.

**Subsection (x)** is added to reserve the letter designation for future definitions that may begin with the letter “**X**”.

**Subsection (y)** is added to reserve the letter designation for future definitions that may begin with the letter “**Y**”.

**Subsection (z)** is added to reserve the letter designation for future definitions that may begin with the letter “**Z**”.

Health and Safety Code Section 18613.5 was added to both the Authority and Reference Note because it refers to Earthquake Resistant Bracing Systems (ERBS), Health and Safety Code Sections 18206, 18213, 18214.5, 18402, and 18603 are added to the Reference Note because 18206, defines the department, 18213 defines mobilehome accessory buildings or structures, 18214.5 defines a permanent building, 18402 provides for nuisance abatement, and 18603 relates to the responsibility of operation and maintenance in a park, all of which have been added to the definitions.

#### **Amend Section 1004.**

It is necessary to amend this section to include references to Health and Safety Code (HSC), Division 13, Part 2.3 and chapters 2 and 2.2 of this division, because in accordance with HSC 18300 and 18865, when a local enforcement agency assumes enforcement of the Mobilehome Parks Act (MPA) and Title 25, Chapter 2, it also must assume enforcement of the Special Occupancy Parks Act (SOPA) and Title 25, Chapter 2.2. It is also amended by deleting the word “mobilehome” throughout this section because it is already defined and is unnecessary.

**Subsection (a)** is amended as above and by deleting the word “official” because it is unnecessary as all legal ordinances passed by a governing body are already official. The text “subject to department approval” is added because an ordinance may conflict with the requirements set forth for assumption and would not be valid. The review by the department would ensure a legal transference of responsibility.

**Subsections (a)(1) through (a)(3)** are amended to include the specific references to the HSC and this division, as noted above.

**Subsection (a)(4)** is added requiring a copy of any contractual agreement for services related to this part that the assuming agency may have delegated to another local government agency. This is necessary because a city, upon incorporation, often contracts with their county to provide services so that services remain “business as usual” within the city’s jurisdiction. Also, many cities have split jurisdiction with the county performing some of the functions themselves and designating the remainder to the county. It is difficult to determine if the provisions of assumption are being met, or who is responsible for what portion of enforcement with out all knowing the range of responsibility of the assuming jurisdiction and the agency they designate.

**Subsection (a)(5)** is amended editorially and by designating the actual chapters this section refers to.

**Subsection (a)(5)(B)**, the phrase “type of park” is added and the phrase “occupancy status” removed because the information requested is actually for the type of park, i.e. special occupancy park, mobilehome park, incidental camping are, etc. not for the status, which could be interpreted many ways. The word “local” is added to specify the area of jurisdiction.

**Subsection (a)(5)(C)** is amended editorially.

**Subsection (a)(6)** has no amendments.

**Subsection (b)** is amended by requiring only one copy of the ordinance instead of two. This is because the ordinance is only needed in the headquarters office and an additional copy is unnecessary. It is also amended by adding the mailing address of the Codes and Standards Administrative Office, so it is available to the reader.

**Subsection (c)** is relocated from subsection (d) to provide a logical progression of requirements. It was amended to add specific instructions for local enforcement agencies, and subdivided to identify the form, form number and revision date of each form the department requires the local enforcement agency to use. Reference to the forms is necessary because the department requires their use to maintain consistency of collected information throughout the state.

**Subsections (c)(1),(2),(3) and (4)** are added to designate the forms, supplied by the department, required to be used by a local enforcement agency. These forms are defined in section 1002 and are gathered here for clarity.

**Subsection (d)** is relocated from section (c) to provide a logical progression of requirements. It was amended by deleting the original text and adding a broader determination of the local jurisdiction’s abilities prior to the assumption of responsibility. This is necessary because there are many areas that need evaluation to ensure the knowledge and capability of a local agency. Language was added to specify that the department will determine the knowledge and abilities of the local agency to apply the requirements of the Health and Safety Code and chapters 2 and 2.2 of the Title 25. The department will determine those capabilities by means that may include inspection, records review, and interviews of personnel. These additions are necessary to allow the department to ensure the local enforcement agency is capable of performing the duties of an enforcement agency (in lieu of the department) required by these regulations, prior to approval.

**Subsection (e)** is amended to add reference to chapters “2 and 2.2” because local assumption of responsibility for chapter 2 is also deemed assumption of responsibility for chapter 2.2. It is also amended editorially.

**Subsection (f)** is added to assist the Department, local enforcement agencies, and park operators in working toward an agreeable exchange of enforcement responsibilities subject to the provisions of both the law and regulations during the transition from construction to completion of a park.

**Subsection (g)** is renumbered from subsection (f) and is amended to provide consistency of timeline with the requirements of section 1012, by requiring submission of a copy of the permit to operate, “within 30 days after renewal”, instead of, “by the 15<sup>th</sup> of the month”. The

phrase, “by the 15<sup>th</sup> of the month” conflicts with the requirements of subsection 1012(a). This amendment allows for a consistent, reasonable time for the transference of the paperwork.

**Subsection (h)** is added because statute (HSC 18300) dictates the department is to establish conditions for approval of assumption of responsibility. If a local enforcement agency transfers its department-approved responsibility to another agency in the city or county that has not been approved, or the approved agency changes the designated personnel, the original conditions of approval would be altered and may trigger the need for reevaluation of the new agency.

Health and Safety Code Section 18865 was added to both the Authority and Reference Note because according to statute (HSC 18300(b) and 18865(b)), a local jurisdiction assuming enforcement of the Mobilehome Parks Act also assumes enforcement of the Special Occupancy Parks Act and vice versa.

### **Adopt Section 1005.**

This section provides direction and detailed procedures to the department and a local enforcement agency when a local enforcement agency, which had assumed responsibility for enforcement, wants to cancel its assumption responsibility. Although assumption procedure regulations have always been in place for local governments and limited cancellation procedures are noted in statute (HSC 18300(e)), there have not been procedures for the orderly, timely return of enforcement responsibility to the department. This is necessary to ensure a proper and timely response to issues within the parks where enforcement is being returned to the department and a proper accounting of fees paid to the enforcement agency. This also allows the department time to relocate personnel to accommodate the additional burden of the reassigned area.

**Subsection (a)** is necessary to provide the department at least an informal notification 30 days prior to official notification. This allows the department the necessary time to relocate or reassign personnel, allocate space for files and prepare the necessary notifications for transfer.

**Subsections (b), (b)(1), (2) and (3)** are added to clarify procedures for the cancellation of assumption responsibility by a local enforcement agency. It is necessary to require the local agency fulfill all the requirements before the transfer is effective because many times the files or fees are not transferred in a timely manner, interfering in proper enforcement by the department.

**Subsection (b)(1)** The requirement for the governing body to pass an ordinance is necessary because, for the original assumption, an ordinance was required by HSC 18300, and the return to the department must be approved by the governing body. Providing official notification to the department in writing at least 30 days before the official transfer is required by HSC 18300. This action is consistent with the timeline specified for assumption as specified in H&SC 18300. The requirement to provide a copy of the ordinance to the department is to assure that it is not an arbitrary or individual decision that could be reversed quickly upon public discovery.

**Subsection (b)(2)** It is necessary to require the transfer of the appropriate fees, as defined in the statutes (HSC 18400.1) and regulation because many times the necessary fees are delayed or not returned at all.

**Subsection (b)(3)** The transfer of the files is necessary because many times the park files are delayed or not returned at all. Not having the files at the time of transfer delays the enforcement and assistance the department provides to the public by not knowing the status of permits, inspections, and complaints.

**Subsection (c)** is added to clarify that cancellation of enforcement authority for chapter 2 (Mobilehome parks), automatically cancels enforcement authority for chapter 2.2 (Special Occupancy Parks), so there is no question of jurisdiction and to follow the requirements contained in sections 18300 and 18865 of the Health and Safety Code.

**Subsection (d)** is added to clarify that when a local jurisdiction desires to again assume enforcement authority, it must be approved again by the department and follow the same procedures as they did for an initial assumption. This is necessary so the effected parks within the jurisdiction can depend on consistent enforcement.

Health and Safety Code Sections 18300 and 18865, are added to both the Authority and Reference Note because according to statute (HSC 18300(b) and 18865(b)), a local jurisdiction assuming enforcement of the Mobilehome Parks Act also assumes enforcement of the Special Occupancy Parks Act both Acts direct the department to adopt regulations to set forth conditions for local agencies to assume enforcement responsibilities.

### **Adopt Section 1005.5.**

This section provides direction and detailed procedures to the department and a local enforcement agency when the department determines that a local enforcement agency, which had assumed responsibility for enforcement, is either not adequately enforcing, or enforcing requirements not set forth in, this chapter, chapter 2.2 or sections 18200 through 18874 of the Health and Safety Code. Although assumption procedure regulations have always been in place for local governments and limited cancellation procedures are noted in statute (HSC 18300(e), there have not been clear or thorough procedures for the orderly, timely return of enforcement responsibility to the department. This is necessary to ensure a proper and timely response to issues within the parks when enforcement is being returned to the department.

**Subsection (a)** is added to provide the local enforcement agency with the details for revocation of assumption authority by the department. This will give the local agency the opportunity to correct problems, as required in sections 18300 and 18865 of the Health and Safety Code, by providing written notification of the deficiencies.

**Subsection (b)** is added to provide the enforcement agency the opportunity to correct the deficiencies in order to avoid cancellation of their enforcement responsibility and provide a specific timeframe defined in sections 18300 and 18865 of the Health and Safety Code for initiating correction of deficiencies.

**Subsection (b)(1)** is added to notify the local enforcement agency that the initiation of corrective action is defined as completion of a written plan of action and must include at least the items on the following list.

**Subsections (b)(1)(A) through (E)** are added to outline the contents of the written plan of action needed for correction of deficiencies. The content is required to acknowledge deficiencies, action to be taken for correction, personnel who will be involved in the correction, timeline for completion, and oversight for prevention of recurrences. This is necessary for methodical, planned, correction of deficiencies in a timely manner.

**Subsection (b)(2)** is added to specify that the actual implementation of the plan of action or other actions required by the department prior to completion of the plan is a necessary part of initiating corrections. This allows immediate responses for emergency issues and later responses for other problems identified in the plan of action.

**Subsection (c)** is added to provide the local enforcement agency with a historical, timely response from the department regarding the plan of action.

**Subsection (d)** is added to provide notice to the local enforcement agency of the consequence for not initiating corrective measures to deficiencies specified in subsection (a), as required in HSC 18300 and 18865, within 30 days.

**Subsection (e)** is added to provide a timeframe for transfer of fees and records, when enforcement responsibility is revoked. This is necessary to assure the department can maintain the history of the park and the installations within the park.

**Subsection (f)** is added to clarify that when a local jurisdiction desires to again assume enforcement authority, they must again be approved by the department, following the same

procedures as they did for an initial assumption. This is necessary so the affected parks within the jurisdiction can depend on consistent enforcement.

Health and Safety Code Section 18300 is added to both the Authority and Reference Note because it directs the department to adopt regulations to set forth conditions for local agencies to assume enforcement responsibilities.

Health and Safety Code Section 18400.1 is added to the Reference Note because it contains provisions for return of unused mobilehome park maintenance fees that were not used for mobilehome park maintenance inspections as required in that statute.

#### **Amend Sections 1006.**

The specific purpose of the amendments to this section is to clarify the requirements for the disbursal of collected fees when the enforcement authority changes, and to provide provisions for the involuntary cancellation of approval of a local agency by the department.

**The title of the section** is amended to include disbursal of fees to accurately reflect the contents of the section. Additionally, this section is subdivided to separate the different time frames for establishing fee disbursal.

**Subsection (a)** is added to the beginning of existing section 1006. It is amended to add a reference to the Special Occupancy Parks Act and its regulations and the time designation is amended to identify the “permit renewal” year instead of the calendar year for clarity. The phrase “or assumption approval cancelled by the department” is added to address the possibility of involuntary cancellation of approval of enforcement authority, as required by section H&SC 18300(d) of the Health and Safety Code, and as outlined in section 1005. The term “collected” is added to clarify the requirement. The phrase “of this article” is added to clarify the reference.

**Subsections (a)(1) and (2)** are subdivided from the second paragraph of the existing section in order to distinguish the different cut-off dates for disbursal of fees for either assumption or cancellation of enforcement responsibility. The cut-off dates for disbursal of fees for both subsections are necessary, because the permit to operate renewal dates are scattered throughout the year based on the county where the park is located. A set date could mean that either the department or a local enforcement agency in a particular county could complete the duties for 11 months and then return all fees because of the June 30 cut-off date causing a financial hardship. Therefore, the fairest cut-off date for disbursal of fees has been changed to six months before or after the permit to operate renewal date for the county in which the agency is located. The six month time limit is used because the majority of fees collected are utilized within the first six months.

**Subsection (b)** is added text to remind the enforcement agency that the special fees collected for park maintenance inspections must be allocated as defined in Statute (H&SC 18400.1).

#### **Adopt Section 1006.5.**

This section is not new text. It is relocated from subsection 1018(b), and amended. It is relocated to make the permit to operate requirements a stand-alone section. The amendments, brought forward from statute, clarify specific requirements.

#### **Amend Section 1007.**

**This section** is amended by striking the phrase “mobilehome or special occupancy”. This amendment is necessary because regulations regarding special occupancy parks now belong in regulations for the Special Occupancy Parks Act. The other removes a term that limits the applicability. The additional amendments are editorial.

**The Reference Note** is amended by adding the word “title” to correct the reference to the US Code.

### **Amend Section 1008.**

**The title** has been changed to accurately reflect the contents of the section as amended. It is necessary to bring fees forward from section 18502 of the Health and Safety Code, for the convenience of the reader, so the reader is not required to have two sets of books, statute and regulation, in order to comply with or enforce this chapter.

**Subsection (a)(1) and (2) and (3)** are added and are brought forward from statute (HSC 18502 (1) and (2)) for the convenience of the reader, so the reader is not required to have two sets of books, statute and regulation, in order to comply with or enforce this section. It also aids in the elimination of the confusion about fees.

**Subsection (a)(4)**, previously subsection (a), is amended by being subdivided to make the various requirements easier to locate. The first subdivision is amended by adding a table number to make reference to, and retrieval of the information on the table less confusing. The existing language referring to the Health and Safety Code is struck, because the information is brought forward from statute in subsection (a).

**Table 1008-1** is amended by deleting the reference to "Camping Parties" because the fees schedule is based on the number of lots or sites. The definition of "camping parties" in statute (HSC 18862.7) also includes a time limit on length of a stay and time limits are not applicable to permit fees.

**Subsection (b)** is amended by deleting the language concerning additional state fees for amended permits to operate because the requirements are contained in section 1014 of this article that relates to changes in park status and duplication is unnecessary.

Old subsection (b) is deleted because it refers to requirements for Special Occupancy Parks that are now contained in chapter 2.2.

Health and Safety Code Section 18502 was added to the Reference Note because it refers to the permit fees and the state fees described in this section.

### **Amend Section 1009.**

**This section** is amended to clarify the additional fees that may be assessed on a permit to operate as specified by sections 18504 and 18506 of the Health and Safety Code. This is done for clarification and to place the penalty fees for a permit to operate application in one location.

**Subsection (a)(1)** describes the penalty for applications submitted 30 days after the due date.

**Subsection (a)(2)** describes the penalty for applications 60 or more days after the due date.

**Subsection (a)(3)** describes the penalty for operating parks that have not applied for a permit to operate.

**Subsection (b)** the subsection is amended editorially.

Health and Safety Code Section 18504 was added to the Reference Note because it specifies the doubling of fees as a penalty for failure to obtain the required permits.

### **Amend Section 1010.**

The section was amended by subdividing it into three subsections: instructions for general requirements upon construction completion, requirements when the department is the enforcement agency, and requirements when the local jurisdiction is the enforcement agency. These changes are necessary because there are different requirements when the enforcement agency is a local jurisdiction, or is the department, and separating the requirements makes the specific requirements easier for the reader to locate.

**Subsection (a)** is amended by adding the qualification that the application for a permit to operate will be required upon "final approval by the enforcement agency", because a permit to operate will not be issued until construction is completed, inspected and final approval given. This is required to ensure the health and safety of potential residents. A statement



regarding submission of “appropriate” fees, and reference to section 1008, were added for the convenience of the reader.

**Subsection (a)(1)** is new text that is added to clarify the application requirements when the department is the enforcement agency. This is to distinguish these requirements from the requirements for permit to operate when a local agency has assumed enforcement authority. The requirements are not new and serve as a follow-up to the instructions in subsection (a). Two different forms for permit to operate are necessary because the local enforcement agency will be using a department-provided form without Department of Housing letterhead, which is the only difference between the two forms.

**Subsection (a)(2)** is the second portion of the existing text. It is amended by adding the requirement for submission of a permit to operate to the local enforcement agency, instructions for disbursal of the copies of the form, and submission of one copy and fees to the department, the department address, a 5-day time frame for submission of the form to the department after approval, and the requirement for the department to issue the permit to operate within ten days of receipt of the approved application. This amendment is necessary because the existing instructions were unclear leading to confusion and misinterpretation because only the department may issue the initial permit to operate. The last sentence regarding subsequent renewals being issued by the local enforcement agency is necessary so the local agency will know it is expected to issue all future permits to operate renewals for that park and so the park operator will know where the renewal should be submitted.

#### **Amend Section 1012.**

**Subsection (a)** was amended to exchange the term “each” for the term “all” to be more specific. The phrase “and amended permits to operate to the Administrative Office of” is deleted because the local enforcement agency does not issue amended permits to operate.

**Subsection (b)** was amended by adding the location where the state fees are to be remitted so the local enforcement agency will know without having to search for the information. The term “annual” was added to the phrase “permit to operate” to include the full name of the permit.

**Subsection (c)** has no amendments.

Health and Safety Code Sections 18502 and 18502.5 were added to the reference note because they refer to the permit fees and the state fees described in this section.

#### **Amend Section 1014.**

The title is amended by changing it to “Required Reporting of Changes in Park Status.” because that is a more accurate reflection of the contents of the section.

The term “annual” is inserted prior to “permit to operate” throughout this section to include the full name of the permit.

**Subsection (a)** is amended by inserting the phrase “An operator of a park shall submit ...application” so the reader can locate the requirements without reading through the subsection first. Amendments were made to the subsection to provide more specific instructions for who must submit the permit to operate application, when it should be submitted, and reasons for submission. These amendments are necessary to provide clear, easy to follow instructions to diminish confusion and to be consistent with the Health and Safety Code. The reasons for submission of the amended annual permit to operate have been divided, and are now subdivisions (1) through (4), of subsection (a).

**Subsection (a)(1)** is subdivided from subsection (a). It is amended by adding the mailing address to the list of reasons for applying for an amended permit, because it is important that the enforcement agency be able to contact the park; and striking “limits on occupancy” because the department has no jurisdiction over occupancy limits.

**Subsection (a)(2)** is the next portion of subdivided subsection (a). It is amended by adding the words “change in the” to maintain consistency of language.

**Subsection (a)(3)** is new text that is required, but had not been listed previously. It is necessary because the department must be notified of changes in conditional use, to be alert for the possibility of new park requirements brought on by the change in conditional use.

**Subsection (a)(4)** is not new; it is moved from existing subsection (c) that is repealed with this rulemaking. It is amended by adding reference to section 1338 as a cross reference for reader convenience. It is presented as new text because the strikeout/underline format would be too confusing.

**Subsection (b)** is the fee portion that existed in subsection (a). It is not a new requirement; it has been subdivided to separate the fee information from the application information. This subdivision is necessary to make it easier for the reader to locate the information.

**Subsection (c)** is amended by adding text to clarify the requirements in HSC section 18505 that specifies that the department must issue the amended permit to operate for new construction of additional lots in an existing park as specified in section 1010 of this chapter (New Construction). This is necessary to allow a local enforcement agency to issue amended permits for informational changes for park status or ownership but the department must issue permits for the additional lots as mandated by statute.

Existing subsection (c) is struck because it duplicates requirements that are now listed in subsection (a).

**Subsection (d)** is new text that applies, with the exception of subsection (c) for the addition of lots to an existing park, to the requirement that a local enforcement agency provide a copy of the approved permit to the department when the permittee is given the permit. This is necessary to clarify the requirements for the enforcement agency so the department receives notification of amended permits to operate and knows to update the files on that park. Health and Safety Code Section 18505 was added to the Reference Note because it directs the department to issue a permit to operate when lots are added to a park, when approved by the local enforcement agency.

### **Amend Section 1016.**

Language is added to Section 1016 to direct the applicant for an alternate approval to submit the plan to the department's area office, or to the local agency, whichever has enforcement authority. The local agency will forward the application to the department's Administrative Office of the Division of Codes and Standards with recommendation for approval or denial because, in accordance with HSC 18305 (b) and (e), only the department can approve alternate construction. This re-direction of the application through the local agency is necessary to give the local enforcement agency the opportunity to review the application. The Administrative Office needs the written recommendation and its rationale because the local agency has more information concerning the local geological, topographic, climatic conditions, and provisions in its use permits, which may have an impact on the alternate construction.

The requirement to provide three sets of plans is reduced to one because only one set is needed to substantiate the alternate and the extra plans are not necessary with this application routing.

The subdivisions have been removed and previous subsection (b) is amended to remove duplicative language.

### **Adopt Section 1017.**

This section is added to inform the public that when a field technical service is requested, a fee will be charged. The fee for this service is not new, and currently exists in subsection 1024(b). This is given an individual section because it applies to all situations when information and time that requires the technical expertise of the enforcement agency is needed.

Health and Safety Code Sections 18300, and 18502.5 are added to the authority note because 18300 authorizes the department to interpret and make specific the Mobilehome Parks Act, and 18502.5 authorizes the fees required.

Health and Safety Code Sections 18503 and 18502.5 were added to the reference note because they refer to the permit fees and the schedule of fees used in this section.

### **Amend Section 1018.**

**Subsection (a)** is amended to include “building component” in the list of constructions and installations that require a construction permit. The term “mobilehome” is deleted to remove the reference limiting the requirement to a mobilehome park or lot, when these regulations also apply to parks, which include campgrounds, tent camps, and recreational vehicle lots.

**Subsection (b)** is new text added to clarify that when notified of a violation by the enforcement agency, requiring a permit, it is the responsibility of the cited person to obtain a permit to construct and pay appropriate fees. This is added for clarity.

**Subsection (c)** is added to establish the list of exceptions for the requirement to obtain a construction permit. This list makes the exceptions easier for the reader to locate. These are not new exceptions, the list of subsections (1) through (6) were previously listed numerically in subsection (a). The term “Exception:” is struck because the exceptions are now subdivided into their own subsection.

**Subsection (c)(1)** is amended to allow “minor maintenance and repair”. The previous language permitting “replacement of approved equipment in kind” is too broad and would have allowed the replacement of mechanical equipment (heating and water heaters) without a permit. The replacement of this type of equipment involves the exhausting the hazardous fumes of combustion, and gas plumbing systems or high-current electrical system connections. To ensure the safety of the occupant of a unit an inspection must be performed.

**Subsection (c)(2)** is amended to clarify that reinstallation of portable air conditioning equipment that was “previously installed” would not require a permit.

**Subsection (c)(3)** is amended to remove duplicative language and to clarify that the floor applies to those storage cabinets “on a lot”; the size requirement for “storage cabinet” is already defined in article 1.

**Subsection (c)(4)**, previously (a)(4)(A), is amended to remove duplicative language and to exclude porch construction from the list of exceptions because the area of a landing is increased and a porch requires plans and plan approval prior to construction. Additionally, if it is constructed without plans it could pose a hazard if constructed improperly. The addition of the language “having a landing not to exceed 12 square feet.” is necessary, because a landing larger than 12 square feet is defined as a porch, and porches require a permit. The size was increased from 9 to 12 square feet to allow doors up to 36 inches to open fully.

**Subsection (c)(5)** is renumbered from existing subsection (a)(4)(B) and amended by increasing the size of the landing to allow for 36-inch wide entry doors, which are now in use, adjacent to landings.

**Subsection (c)(6)** is amended by removing redundant language and by making the requirements apply to window and door awnings and eliminating the restrictions to particular materials. This is necessary to avoid prohibiting future materials that are not yet on the market, but would qualify for the permit exemption.

**Subsection (7)** is renumbered, and amended to remove repetitive language.

**Subsection (c)(8)** is added to include a retaining wall in the list of exceptions, provided that it does not support a surcharge, or additional load. A description of a surcharge for purposes of this chapter is included for clarity.

**Subsection (c)(9)**, is new text to add a patio, which is defined in the chapter definitions, to the list of exceptions because it does not pose a safety risk.

**Subsection (c)(10)** is added to exempt fences from permit requirements as long as they are not over 6 feet high.

**Existing Subsection (b)** was struck because it duplicates language found in section 1006.5. In the reference note, Health and Safety Code section 18500 was moved because it was out of numerical order.

### **Amend Section 1020.**

The title of the section has been amended to accurately reflect the contents of the section, subsections containing requirements for accessory buildings and structures have been relocated to section 1020.4. Engineered support structures have been deleted because an engineered support structure has the same characteristics and requirements as a modern foundation system and an engineered support structure is no longer referenced in this chapter, and it is confused with “support system” as defined in section 1002.

**Subsection (a)** has been amended by striking the contents and moving subsection (b) up. The language requiring that all site preparations be completed prior to permit issuance was removed because the language exists in section 1328. The text is amended by including the phrase “MH-unit” because these requirements apply specifically to them, and by referring to the particular Health and Safety Codes that have the specifications for support structures and foundation systems of manufactured homes and mobilehomes. The requirement that the applicant use forms provided by the department has been struck because local enforcement agencies utilize their own construction permit forms and the department does not supply them. The department and local enforcement agencies have separate form requirements, so language is added to reflect this “on a form prescribed by that agency.” These amendments are necessary to specify the support and foundation requirements for reader understanding. The exception noted for installation by public utilities was struck because it duplicates Health and Safety Code section 18304(b).

**Subsection (a)(1)** is added to reference the section where the fee schedule is located for reader convenience, and to ensure the appropriate fees are submitted along with the application.

**Subsection (a)(2)** is amended by deleting reference to subsection (e) and the effective date, because it is obsolete and no longer applies, and to include the phrase “MH-unit” in the requirements because they apply to mobilehomes, manufactured homes and multi-unit manufactured homes and exclude recreational vehicles.

**Subsection (a)(3)** is amended by deleting reference to subsection (e) and the effective date because it is obsolete and no longer applies, and by including “MH-unit” in the requirements because, the provisions exclude recreational vehicles.

Subsections (e) and (f) are removed because they are requirements that are obsolete and no longer apply.

**Subsection (a)(4)**, is renumbered subsection (g), and amended to include “MH-unit” because these provisions exclude recreational vehicles. It is also amended editorially.

**Subsection (a)(4)(A)** is added text to inform the reader that MH-unit installation instructions must be stamped by the manufacturer’s DAPIA (Design Approval Primary Inspection Agency) to indicate approval of the plans. This is necessary so the department will know if the plans meet with the manufacturers DAPIA approval.

**Subsection (a)(4)(B)**, renumbered subsection (g)(1), is amended to require three copies of a proposed plot plan for the lot because one copy is kept by the department, one copy is transferred to the field inspector and one is returned to the applicant. It is also amended by deleting the exemption that a plot plan is not necessary if there is a copy on file with the enforcement agency, because the issuing agency has no way of verifying possible changes in utility locations or services. Language is added that requires the locating on the plot plan, all accessory buildings and structures on the lot or adjacent lot to evaluate the fire separation requirements. The requirement that an original signature of the park owner or representative is on at least one copy of the plot plan ensures the park is aware of and approves construction within the park.

Subsection (g)(2) is removed because it was a requirement as a means to identify an installed unit. Most local building permit application forms do not have a location for this information on their form, and it is too restrictive to require the local agency to use the department's method of identification.

Subsection (g)(3) is removed because it is unrealistic to require installation instructions for a home nearly 30 years old and there are provisions to accommodate the lack of installation instructions.

**Subsection(a)(4)(C)**, is renumbered subsection (g)(4), and is amended to specify that the applicant shall provide installation instructions for tie-down systems, if they are not provided in the manufacturer's installation instructions. This is necessary to assure plans are available at the time of the installation inspection.

**Subsection (a)(4)(D)** is added to provide a reference to the fee provisions for completion Application for Permit to Construct for the owner builder. This specifies the location in the regulations, of fee requirement, for the owner/builder.

**Subsection (b)**, previously subsection (h), is amended by replacing "Support Structure" with "Foundation Systems" in the title to better define the context of this section. The title for the section remains, because it makes the requirements for foundation systems, easier for the reader to find. The term "support structure" is deleted throughout this subsection because when originally written, a support structure was significantly different than a foundation system. Since a support structure is required to be an engineered structure, and present foundation "systems" are already engineered, this requirement is duplicative and unnecessary. The term "Foundation system" replaces all parts of the section that refer to support structures. "MH-unit" replaces the word "home" because the provisions only apply to manufactured homes, mobilehomes and multi-unit manufactured homes. The portion of the subsection that requires submission of three sets of plans and possible engineering calculations has been broken out of this subsection and moved to new subsection (h) because it is a requirement that applies to the entire section and is now easier to locate. Deleted subsection 1020(i) is renumbered and relocated to new subsection 1020.1(a); subsection 1020(k) is renumbered and relocated to subsection 1020.3(e); subsection 1020(l) is renumbered and relocated to new subsection 1020.4(b); subsection 1020(m) is renumbered and relocated to new subsection 1020.7(f). These amendments are necessary because these are the fee schedules for installation and inspection, permit issuance, and for facility and installation and it is easier for the reader to locate applicable fees without wading through a long set of regulations first.

**Subsection (b)(1)** is added to provide a reference to the fee provisions for completion Application for Permit to Construct for the owner builder. This specifies the location in the regulations, of fee requirement, for the owner/builder.

**Subsection (b)(2)** is not new text; it is a portion of previous subsection (h) that is put in its own subsection to make it clear that the requirements apply to the entire section. It is amended by replacing the term "support structure" with "foundation system" and refers to section 1034 for any details regarding plans.

**Subsection (c)** is added to require local government approval prior to installation. This is necessary because the addition of multi-unit housing is the same as adding lots to a park. The addition of new lots in a park requires local approval because it affects the local community's services and facilities, and may affect the use permit for the park.

**Subsection (c)** is relocated subsection 1020(j) and is amended by adding language to make the references more specific to requirements, to reduce wordiness and use consistent terminology. The words "plans and specifications" were deleted throughout this subsection and replaced with the word "application" where applicable because it is the application that is submitted, because not all applications require plans and specifications.

Health and Safety Code Sections 18551 and 18552 are added to the authority note because they authorize the department to establish regulations for mobilehomes on foundation

systems and building standards for accessory structures. The HSC subsection letters are deleted for consistency within these regulations and for clarity.

Health and Safety Code Sections 18008.7, 18500, 18501, 18551, 18551.1, and 18611 are added to the reference note because 18008.7 specifies when multi-unit manufactured housing is required to be installed on a foundation system, 18500 requires permits to start the construction of lots or parks, 18501 requires supporting documents for the permit to construct, 18551 provides requirements for manufactured homes on foundations systems, 18551.1 defines the permission to place a mobilehome on a foundation system in a park, and 18611 allows a factory-built housing or manufactured home to be affixed to a foundation in a park. The references to specific subsections in the HSC are deleted for consistency.

### **Adopt Section 1020.1.**

**Subsection 1020.1(a)**, is relocated 1020(i) with subsections (1), (2), and (3), to separate the fees required for installations from other fees required for other types of permits in this article. It is amended by striking reference to section 18502.5(b) of the Health and Safety Code and phrase “where the department is the enforcement agency,” because they refer to fees the department will charge for the department’s use, and this fee section applies to all enforcement agencies. It is also amended editorially.

**Subsection 1020.1(a)(1)** is amended to change the title of the fee from “Application filing” to “Permit issuance”, because the fee only applies when the permit is issued.

**Subsection 1020.1(a)(2)** is added to this section to specify the amount of fees an enforcement agency can collect when plans are submitted for a second time and must be checked again. This is not a new fee. The fee is located in existing subsection 1022(e)(1), now renumbered 1020.7(e)(1).

**Subsection 1020.1(a)(3)** is amended to specify “MH-unit” installation because it does not apply to recreational vehicle installation and the installation of 2 unit multi-unit manufactured housing to maintain consistency with the statute (HSC 18008.7). Inclusion of “support system alteration” in the permit fees for installation are pursuant to Section 18613(a)(2) of the Health and Safety Code, which defines “installed” as an alteration, modification, or replacement of the support structure.

**Subsection 1020.1(a)(4)** is added to refer the reader to an existing valuation table for foundation system permit fees based on the valuation of the job. This assists the reader in calculating fees due when applying for a permit. A foundation is a form of construction, and construction permit fees generally are based on valuation.

**Subsection 1020.1(a)(4)(A)** is added to clarify that plan check fees are not required for a engineered support structures, or foundation system when a standard plan approval has been obtained. This is necessary so the applicant is not over charged.

**Subsection 1020.1(a)(5)**, previously subsection 1020(i)(3), is amended editorially.

Health and Safety Code Section 18551 is added to the authority note because it authorizes the department to establish regulations for mobilehomes on foundation systems. Health and Safety Code Sections 18500, 18501, 18502, and 18551, are added to the reference note because Section 18500 requires permits to start the construction of lots or parks, Section 18501 requires supporting documents for the permit to construct, Section 18502 contains the permit fees, and Section 18551 provides requirements for manufactured homes on foundations systems.

### **Adopt Section 1020.3.**

This section is added to provide the application requirements for obtaining permits for accessory buildings and structures as a separate section to make it easy for the user to locate the requirements.

**Subsection (a)** is added to establish the requirement for the form, so the agency receives all the information required to make a decision for approval or disapproval of a permit.

**Subsection (b)** is added to provide fee information for a complete application. This is necessary so the reader knows where to find the applicable fee information.

**Subsection (c)** is added to establish the requirement for three copies of a plot plan to assure there is one copy each for the inspector, enforcement agency, and the applicant. The signature of the park owner on the plot plan is necessary so the inspector knows the owner is aware of the application prior to the final inspection.

**Subsection (d)** is existing text, copied from subsection 1022(c), added to this section to clarify that only one plan check fee is necessary when multiple, identical plans are submitted. It is amended by adding the words “or install” after the word “construct” because the structure could be a pre-constructed structure that is installed. The reference to “two or more buildings” is deleted because the building installation requirements are located in section 1020.6. It is amended to include “building components” because it can be part of an accessory building or structure. It is also amended editorially.

**Subsection (e)** is existing text, copied from subsections 1026(f) and (g). It is presented in the underline format because it is also in use in another location for clarity. It is added to define the actions necessary when a submitted application is incomplete. It is added to this section to keep these requirements with the application requirements. It is amended by adding location references for the resubmission fees. It is also amended editorially.

**Subsection (f)** is not new, it is relocated from section 1020(k) and is amended to remove repetitive permit and fee language and include “building components” and “accessory building or structure” in the requirements because they, too, qualify for standard plan approvals. The option for the applicant to request individual permits for mechanical, electrical, structural and plumbing installations was reworded to be more accurate and to include that they are subject to separate individual fees. This is necessary to allow subcontractors to obtain their own permits.

Health and Safety Code Sections 18300, and 18552 are added to the authority note because section 18300 allows the department to interpret and make specific the Mobilehome Parks Act and section 18552 authorizes adoption of regulations for accessory buildings or structures.

Health and Safety Code Sections 18300, 18500, and 18502.5 are added to the reference note because section 18300(g)(1) permits a city or county to regulate types of uses and locations of parks and section 18300(g)(2) allows them to regulate the construction and use of facilities outside the park used to supply gas, water and electricity and the disposal of sewage and other wastes from the park, section 18500 requires permits to start the construction of lots or parks, and section 18502.5 refers to the state fees required.

#### **Adopt Section 1020.4.**

These fees are not new requirements, they are consolidated from existing sections 1020 and 1022 and 1024, separated from other sections to specify the fee permit requirements for accessory buildings and structures that have a standard plan approval, and arranged in a format that makes the information easier for the user to locate.

**Subsection (a)** is added to congregate the fees charged for accessory buildings and structures and building components that have a standard plan approval, in one location for the convenience of the reader. This amended text, related to accessory buildings and structures, from section 1020(i). It is presented as new text because it has already been amended and relocated to section 1020.1.

**Subsection (a)(1)** is language copied from subsection 1020(i)(1) that is amended to change the name from “application filing” to “permit issuance” to be consistent with the terminology of this chapter.

**Subsection (a)(2)** is language copied from subsection 1022(e)(1) with no amendments.

**Subsection (a)(3)** contains language from section 1024 that is amended to be more specific. It is necessary to repeat the language for each specific permit issuance, in order to provide complete information pertaining to the particular type of permit.

**Subsections 1020.4(b), (d), and (e)** have been relocated from sections 1020(i), (j), and (k) respectively, to consolidate the fee requirements.

**Subsection (b)** is amended both editorially and by removing the term “mobilehome” because accessory buildings and structures are not limited to mobilehomes.

**Subsection (b)(3)** is amended to correct an error, replacing the term “garage” with “carport” because a garage cannot be an awning.

**Subsection (b)(4)** is not amended.

**Subsection (b)(5)** is amended by striking the term “windbreak”, because it is included in the definition for “fence”.

**Subsection (c)** is added because this section applies only to applications using a Standard Plan Approval; this subsection refers the user to the correct section where the fee information for other non-SPA applications can be found.

**Subsection (d)** is amended to include “building components”, remove reference to the ambiguous term “miscellaneous structure”, and editorially change “subchapter” to “chapter” because it no longer applies.

**Subsection (e)** prohibits the enforcement agency from charging a plan check fee for accessory buildings or structures, when a department approved standard plan is used. This subsection is text from existing subsection 1022(b). It is given a separate number to make the exception clear to the reader.

Health and Safety Code Sections 18008.7, 18500, 18501, 18551, 18551.1, and 18611 are added to the reference note because section 18008.7 covers multi-unit manufactured housing which is required to be installed on a foundation system, section 18500 requires permits to start the construction of lots or parks, section 18501 requires supporting documents for the permit to construct, section 18551 provides requirements for manufactured homes on foundations systems, section 18551.1 defines the permission to place a mobilehome on a foundation system in a park, and section 18611 allows a factory-built housing or manufactured home to be affixed to a foundation in a park.

### **Adopt Section 1020.6.**

This section is necessary to make the requirements specific and easy for the user to locate.

**Subsection (a)** is necessary to clarify the types of construction or alterations that require a permit from the enforcement agency. This is necessary to identify which park construction activity requires a permit.

**Subsection (b)** is necessary to clarify the requirements for requesting a permit from the enforcement agency, and notify the applicant that fees are required and the location where they can be found.

**Subsection (c)** is necessary to clarify the requirement that three sets of plans and specifications, and installation instructions must be submitted with the permit application and refers to compliance with section 1034, which contains specific instructions for plans. Three copies of plans are necessary because one copy is filed, one copy is returned to the applicant as approved and one copy is forwarded to the field inspector. **Subsections (d), (d)(1) through (d)(5)** are necessary in order to specify that, prior to submitting a permit application for construction or enlargement of a park or installation of multi-unit manufactured housing that affects a local community, the applicant for a permit must obtain written evidence of compliance with the California Environmental Quality Act and written evidence of approvals from the local planning, fire, health, public works, and flood control agencies, utilities serving the location, and any agency with jurisdiction that may be impacted. The latter may include school impact districts or federal agencies such as the Tahoe Regional Planning Agency. These are necessary so the department can assure prior compliance with



applicable laws or regulations and so the local agency is aware of possible impacts on its facilities.

Health and Safety Code Sections 18008.7, 18500, 18501, 18551, 18551.1, and 18611 are added to the reference note because section 18008.7 covers multi-unit manufactured housing which is required to be installed on a foundation system, section 18500 requires permits to start the construction of lots or parks, section 18501 requires supporting documents for the permit to construct, section 18551 provides requirements for manufactured homes on foundations systems, section 18551.1 defines the permission to place a mobilehome on a foundation system in a park, and section 18611 allows a factory-built housing or manufactured home to be affixed to a foundation in a park.

### **Adopt Section 1020.7.**

The title is amended to make the permit fee requirements for construction and alteration in parks easier to locate.

**Subsection (a)**, previously subsection 1022(a), is amended to clarify that the fees of this subsection will apply only to plans which do not have a standard plan approval by the department. This is necessary to clarify when these fees are applicable.

**Subsection (a)(1)**, previously subsection 1022(a), is amended by adding the phrase “Twenty dollars (\$20)”. This is not a new fee; this specific amount was previously stated in subsection 1020(k). The remainder of this subsection has been relocated to new subsection 1020.7(a)(2).

**Subsection (a)(2)**, the title “Permit valuation fee” is added so the subsection is easier to locate and the text is amended from existing subsection 1022(a) with language specifying the exact subsection for the location of the fees.

**Subsection (a)(3)**, previously subsection 1022(b), is amended by striking the phrase “shall be equal to” because it is unnecessary, and the term “provided” because it is redundant. The text concerning standard plan approval permit fees for accessory structures has been struck and the requirements are relocated to section 1020.4.

**Subsection (b)**, previously subsection 1024(b), is amended by rewriting the fee requirements in plain English and underlining it as new text because it is less confusing, and striking all but the fee requirements because this section relates to fees. This is necessary to keep the fee requirements together. The specific requirements for reinspection for a cited violation have been relocated to subsection 1018(b).

**Subsection (c)**, previously subsection 1022(c), is relocated here to group fee related requirements together. It is amended by adding the word “permanent” in front of the word “building” to clarify and maintain consistency of the term “permanent building”. It is also amended by deleting redundant language, and reference to “mobilehome”, because accessory buildings and structures can be built on manufactured home and multi-unit manufactured housing lots also.

**Subsection (d)**, previously subsection 1022(d), is amended by striking references limiting this section to installations of accessory buildings and structures and miscellaneous structures, because the fees in this section apply to all buildings and structures within a park. It is relocated here to group fee related requirements together.

**Subsection (e)**, previously subsection 1022(e), the phrase “in writing, stating” is added to provide the applicant with written reasons the plans are not compliant, and the phrase “for the permit” is deleted because it is unnecessary because it is known who the applicant is. The remaining language is amended grammatically for clarity, with no change in substance.

**Subsection (f)**, previously subsection 1020(m), was relocated in its entirety to maintain consistency in keeping like fee requirements together. It is amended to remove the term “mobilehome” because the fees are not limited to mobilehomes. The text has been amended to reflect the current definitions in section 1002 for each of the fees in this schedule for consistency, and amending it editorially.

**Subsection (g)**, previously subsection 1024(a), is relocated in its entirety to maintain consistency in keeping fee-related requirements together. It is amended by including reference to permanent buildings and foundation systems, because the construction permit fees for permanent buildings and foundations are located in this section and are not duplicated elsewhere. The phrases “mobilehome” and “miscellaneous structures” are deleted to remain consistent with the rest of the chapter. Accessory buildings or structures are added because the regulation sections that cover those requirements refer to this section for construction permit fee details, they are not duplicated elsewhere.

**Subsection (g)(1)** is amended to add titles to the table and to correct the table by replacing “\$100,001 and up” with an upper limit of “\$500,000” that is consistent with the format and figures given in the table.

The authority and reference notes for both sections 1022 and 1024 were merged, since they are both relocated to this section.

**Subsections (g)(2) and (3)** are amended editorially.

### **Adopt Section 1020.9.**

This section is not new; it is the relocated and renumbered section 1026.

The title of the section is amended to more accurately reflect the contents of the section.

**Subsection (a)**, previously subsection 1026(a), is amended to include accessory buildings or structures because they can have standard plan approvals. The previous reference to standard plan approvals for accessory buildings or structures was located in Appendix A, which is to be repealed. The language referring to standard plan approvals from the department and instructions for obtaining a standard plan approval are stricken because they are relocated to a separate subsection, 1020.9(s). The last sentence is relocated to new subsection (b).

**Subsection. 1020.9 (b)** is subdivided from the last sentence of previous subsection (a). It is amended by replacing the term “manufacturer” with “applicant” because an applicant for a standard plan approval is not necessarily a manufacturer.

**Subsection (b)(1)**, previous subsection 1026 (a)(1), is amended by striking the form number and title of a standard plan approval form because it is not necessary to include the form in the regulations. It is also amended by striking the reference to the actual graphic of the form in the regulations, since the form is removed. Language is added to include “standard plan approval” in the instructions, and the form “designated by the department” to indicate there is a specific form for the application.

**Subsection (b)(2)** previously subsection 1026(a)(2), is amended to include “and/or installation instructions”, because installation instructions are a necessary part of plan approval.

**Subsection (b)(3)**, previously subsection 1026(a)(3), has been relocated to be consistent with keeping related fees together so they are easier for the reader to locate. There are no other amendments.

**Subsection (b)(4)**, is a copy of existing language in subsection 1022(e)(2), it is not a new requirement. The previous language in existing subsection (b) was not specific. This subsection is added to clarify the requirements and fees for standard plan approval and maintain them in one location so the reader does not have to search for the requirements.

**Subsection (b)(5)**, previously subsection 1026(b), is amended by striking the references to both field office and technical service fees in previous subsection 1024(b), because the specific fee requirements for plan check (plan approval) and technical service, is provided in section 1020.9(b)(4) above and to eliminate vague references.

**Subsection (b)(6)** replaces vague reference to technical service fees contained in the previous subsection 1026(b) (now subsection 1020.9(b)(5)) with language from subsection 1024(b). This is necessary because there may be times that technical services are requested

with a standard plan approval, and the fee should be specified in the section to which they are related.

Existing subsection (c) is repealed because the information is provided in subsection (b)(7)(A) with more specific instructions.

**Subsection (b)(7),(A), and (B)**, is copied from subsection 1022(e) so the fee requirements can be located for each activity, and is amended to include the instruction that the plan is to be corrected prior to resubmission, along with the plan check fee name change from “plan checking approval”. This is necessary to make the requirements specific, and to maintain consistency for the name of the fee.

**Subsection (b)(8)**, previously appendix A-1546, this is the first portion of the subdivided appendix A-1546. It is amended by specifying that an approved identification label of approval “shall be provided” for each accessory building or structure. The text “constructed or installed pursuant” is replaced with the term “manufactured under” because a standard plan approval pertains to the assemblage or manufacture of a standardized structure that may be repeatedly manufactured in the same manner.

**Subsection (b)(9)**, previously appendix A-1546 the second portion, is relocated to keep related requirements together for reader convenience. It is amended to describe the identification label of approval design, and the process for submission of the label. This is necessary to clarify any confusion regarding the process of obtaining a standard plan approval and label design requirements. A sample of the label is required to ensure compliance with the requirements.

**Subsections (b)(9)(A) and (B)** are amended editorially.

**Subsection (b)(9)(C)** is amended by striking the introductory sentence because it duplicates the end of subsection 1020.9(b)(9).

**Subsection (b)(10)**, previously the third portion of appendix A-1546, is amended by adding the term “identification” for a better description of the label, and to specify that there are three types of materials to be used for the identification label of approval “Type I, II, or III as specified in the section,” the general reference to the basic types of materials was struck. This is necessary to clarify any confusion regarding the requirements. The life expectancy of the plate is reduced from twenty to ten years, because that is a more realistic time span. It is amended to include a material description that had been incorrectly labeled, “Metallized Mylar (polyester), surface bonded”, for a third type of label.

**Subsection (b)(10)(A) and (B)** have no amendments.

**Subsection (b)(10)(C)(i)**, is subdivided from the description of metallized Mylar because it falls under that category of label and is another form of combination plastic and metal label. It is amended by rearranging the text to be consistent with the format of the other label material types. There are additional amendments to the entire subsection that are editorial.

**Subsection 1020.9(c)**, previously subsection 1026(e), is amended by replacing reference to “standard sizes” of paper with “no smaller than 8 1/2 inches by 11 inches, and” because “standard size” is arbitrary and vague. Minimum paper dimensions are specified because plans have been submitted that are too small to clearly read and work with.

**Subsection (c)(1)** is amended by moving the portion that specifies the design and construction details to the end so it is easier to understand.

**Subsection (c)(2)** is amended by replacing the term “type” with “model” to eliminate any confusion. The references to the foundation system and engineered tiedown system are struck because standard plans are not limited to these systems.

**Subsection (c)(3)** is amended by striking the term “blank” because it is not needed to make the subsection clear, by adding the phrase “standard plan” to specify the kind of approval, eliminating confusion, by adding the phrase “stamp and number” for clarity, and by striking the term “stamp” because it is duplicated.

**Subsection (c)(4)** is amended by adding “or engineered accessory building or structure”, because they too could require an engineered design. Other amendments are editorial.

**Subsection (c)(5)** is not amended.

**Subsection 1020.9(d)**, previously subsection 1026(f), is amended by incorporating previous subsection 1026(g), which is amended by correcting the reference to the fee requirements subsection, and editorially.

**Subsection 1020.9(e)**, previously subsection 1026(h), is amended by adding the term “department” to be more specific about where “approval” will be obtained. The phrase “for services rendered” are added to clarify that services are rendered regardless of the status of approval.

**Subsection 1020.9(f)**, previously from subsection 1026(i), is amended by adding the phrase “the department’s” prior to the word approval because only the department can give approval, and by striking “by the department’s architect” because other personnel within the department may approve a standard plan approval.

**Subsection 1020.9(g)**, previously subsection 1026(j), is amended editorially.

**Subsection (g)(1)** is amended by adding the word “standard” to describe the approval, and by striking “for renewal of the standard plan approval” because it is redundant.

**Subsection (g)(2)** is amended by including language regarding space needed on the plan for an approval stamp, from subsection 1020.9(c)(3), so the requirement is clear to the reader. The words “of a plan approval shall provide space for the department’s stamp of approval” are struck because they are replaced with language that is easier to understand and consistent with original requirements for standard plan approval.

**Subsection (g)(3)** has been added to specify that all renewals of standard plans will have the same number they were originally assigned, to identify the renewed plan as the same plan as the originally approved plan.

**Subsection 1020.9(h)**, previously subsection 1026(k), is amended to make the submission requirements of the plan revision, easier to understand.

**Subsection (h)(1)** is amended editorially.

**Subsection (h)(2)** is amended by striking the resubmission fee, as the resubmission fee is referenced in subsection (b)(4) and would be duplicative, if it were to remain. It is also amended by correcting the subsection reference for the design calculations. **Subsection (h)(3)** is amended by replacing the word “approval” with “check” to maintain consistency with the language.

**Subsection 1020.9(i)**, is added to establish procedures and a fee schedule for submission of revised standard plans to the department. This is necessary for reader convenience, so the reader will know what to do and what to expect when plans are to be revised. These are not new requirements; this section brings together references to existing subsections for specific instruction and clarity for the reader.

**Subsection 1020.9(j)**, previously subsection 1026(l)(1), is amended by correcting the subsection references because of the changes that have been made with this rulemaking, by replacing “period of time provided” with “final expiration” for clarity, and by adding the word “assessed” to indicate the fees required are different for new plans. It is also amended editorially.

**Subsection 1020.9(k)**, previously subsection 1026(l), is amended to add the provision that changes to applicable laws could require changes to a standard plan. It is necessary to provide this information so the reader will know that possible changes to the standard plan could be required, if changes to the law occur. It is subdivided for clarity.

**Subsection (k)(1)** is subdivided and amended editorially.

**Subsection (k)(2)** is subdivided and amended to allow either 180 days, or if the plans expire prior to that time, up to the expiration date, for the applicant to revise the plans. It is also amended editorially. This is necessary to clarify the meaning, because the applicant could interpret this erroneously to mean that this would extend the expiration date of the plans.

**Subsection 1020.9(l)**, previously subsection 1026(m), is amended to remove the title because it is unnecessary. It is also amended by adding a description of the stamp of

approval to clarify that only the department may issue the unique standard plan approval identification number. This is necessary to identify the requirements for verification of approval, to maintain consistency, and to have a means of clearly identifying a specific plan.

**Subsection 1020.9(m)**, previously subsection 1026(n), is amended by striking the unnecessary title, and adding, “accessory building or structure”, as types of structures that can have a standard plan approval. This is due to the incorporation of the previous standard plan approval section in appendix A that is being repealed so there is only one section pertaining to standard plan approval. It is also amended editorially.

**Subsection 1020.9(n)**, previously subsection 1026(o), is amended by striking the unnecessary title. It is amended by adding the caveat that the approved plans must bear the stamp of approval. This is necessary to remind the reader of this requirement. The amendment to include accessory buildings or structures maintains consistency with the requirements of this section. The last five words are struck because they are not needed.

**Subsection 1020.9(o)**, previously subsection 1026(p), is amended by striking the unnecessary title and correcting a grammatical error.

**Subsection 1020.9(p)**, previously subsection 1026(q), is amended by striking the unnecessary title, adding accessory building or structure to maintain consistency of language in this section, adding the complete name of form HCD 520, and editorially.

**Subsection 1020.9(q)**, previously subsection 1026(r), is amended by striking the unnecessary title to maintain consistency in format. Language of this subsection is replaced to clarify the requirement; there is no change in substance.

**Subsection 1020.9(r)**, previously the end of subsection 1026(a), is separated from the first part of subsection (a) because this subsection refers to statewide acceptance of any standard plans approved by the department, and first subdivision of subsection (a) refers to standard plan availability. It is necessary to separate this portion for clarity and to maintain State preemptive authority given by Health and Safety Code section 18300. The requirement that local enforcement agencies shall not require an original signature on standard plans is necessary because multiple copies of the plan may be used simultaneously in different parts of the state, precluding the ability to provide the original signature in more than one location. The department retains an original version of the approved plan with the original signature for verification.

Health and Safety Code Section 18552 is added to the reference note because it authorizes adoption of regulations for accessory buildings or structures.

### **Repeal Section 1022.**

The section is repealed and relocated to 1020.7, to make it closer to other related requirements and fee sections in Article 1.

### **Repeal Section 1024.**

The section is repealed and relocated to 1020.7, to make it closer to other related requirements and fee sections in Article 1.

### **Adopt Section 1025.**

Section 1376 is relocated subsection 1025 of article 1 to group fees of this chapter together. It is amended editorially.

### **Repeal Section 1026.**

This section is repealed and relocated to section 1020.9 and 1020.1 to group sections related to fees close together in this chapter, for reader convenience.

The form HCD 520 Application for Standard Plan Approval, dated 3/95 is also deleted because it is incorporated into the definitions in section 1002.

### **Repeal Section 1028.**

The remains of repealed sections make the regulations confusing and difficult locate appropriate sections. Because this rulemaking is relocating and amending the contents of this entire chapter, deleting unused sections will clear the regulations of unnecessary sections that have no content.

### **Amend Section 1030.**

This section is amended by replacing the environmental impact reporting requirements, with the current California Environmental Quality Act (CEQA) provisions. It is also amended by replacing the term construct a “project” with construct “or enlarge a park”. This is necessary because a project could refer to anything and the construction of enlargement of a park is the only time CEQA compliance is required.

Health and Safety Code Section 18406 is added to the reference note because it replaces section 18405 which was an incorrect reference.

### **Amend Section 1032.**

**Subsection 1032(a)** is amended to clarify the language in plain English and to specify that a “designated” form will be provided by the enforcement agency

**Subsection 1032(b)** is amended by relocating the last portion of the existing section, relating to when these approvals are required, to the beginning and rewriting it for clarity. The reference to altering a park is deleted because it is arbitrary and would not always require local approvals. It is also amended by adding reference to compliance with the California Environmental Quality Act and subdividing it into four parts for clarity. This is necessary so the applicant will know that CEQA compliance may be required, and to clearly identify which local agency approvals are required. The subsection is also amended editorially.

**Subsection 1032(b)(1)**, is amended by replacing the outdated term “commission” with “agency” to modernize the language.

**Subsections 1032(b)(2) and (3)**, are amended editorially, and by moving the term “public works” to group it with other local government departments.

**Subsection 1032(b)(4)**, is not amended except to add the number and a period.

**Subsections 1032(c), (d), and (e)**, are amended by striking the word “mobilehome” to remove the reference limiting the requirement to a mobilehome park or lot.

**Subsection 1032(d)** is amended by adding the term “manufactured home or” because it is the correct and consistent term in current use throughout the regulations.

**Subsection 1032(e)** is amended by adding the words “building or” and “or building components” because permits for construction of these structures also require the park operator’s signature.

**Subsection 1032(f)** is added to specify that written evidence of local approvals may be necessary when the installation may impact the local community’ services.

Existing Subsection 1032(f) is repealed because it is unnecessary. Fee requirements are already provided in sections specific to fees.

Health and Safety Code Section 18406 is added to the reference note because it contains requirements for park location approval along waterways and coastlines. It is also amended editorially.

### **Amend Section 1034.**

**Existing subsection 1034(a)**, is amended by dividing it into four sections because each has a separate requirement for plan submission and it will be easier for the reader to follow and comply with the provisions, if they are divided into subsections (a) (b, (d), and (e):

**Subsections 1034(a) and (b)** are amended editorially.

**Subsections 1034 (c)** is new text added to provide instructions when a designed system requires an engineering analysis of structural parts or methods of construction, to clarify that the plans, specifications, and calculations must be signed by an architect or engineer.

**Subsection 1034(d)**, is a portion of existing subsection (a). It is amended by deleting the word “registered” prior to the word “engineer” because it is duplicative of the definition in subsection 1002 of this chapter. The words “revised plans and specifications” are deleted because a deviation from the plan is already a revision of the plans. The words “shall be” are added to make it clear that the deviation from the plans will be submitted to the enforcement agency for approval.

**Subsection 1034(e)**, is the final portion of subdivided subsection (a). It is amended by adding the words “and/or specifications” because specifications require approval and should not be omitted from waivers.

**Subsection 1034(f)** is renumbered subsection (b). It is amended grammatically.

**Subsection 1034(g)** is renumbered subsection (c), and there are no further changes.

**Subsections 1034(h)** is renumbered subsection (d), it is amended by deleting the word “registered” before the word “electrical” because it is not necessary. It is amended by adding, “park’s electrical” to specify that the main electrical service referred to is the park’s. The language “is in excess of 230 volts.” is deleted and “exceeds the voltage of the secondary system.” is added because the design criterion needs to be based on the secondary system voltage, not only when it exceeds 230 volts.

**Subsection 1034(i) through (i)(2)** is renumbered subsection (e), and is amended editorially and by deleting the word “mobilehome” to broaden the requirement to any lots in a mobilehome or manufactured home park.

**Subsection 1034(j)** is renumbered subsection (f), it is amended by changing the phrase “construction permit” to “permit to construct” to maintain consistency in terminology.

**Subsection 1034(k)** is renumbered subsection (g), and is amended by deleting references to “subchapter” which has been repealed, and “mobilehome”, which limits the applicability of these regulations. The term “or building component” is added in several places, because the provisions of this subsection regarding reinstallation apply equally to accessory buildings and structures, and building components.

The exemptions to the requirement for structural plans for reinstallations are subdivided into four **subsections (1), (2), (3), and (4)**, to make them easier to locate. They are amended editorially.

### **Repeal Section 1036.**

The remains of repealed sections make the regulations confusing and difficult locate appropriate sections. Because this rulemaking is relocating and amending the contents of this entire chapter, deleting unused sections will clear the regulations of unnecessary sections that have no content.

### **Amend Section 1038.**

**Subsection (a)** is amended by replacing the word “upon” with “prior to the” to clarify the intent that an extension will not be given if work has not been started.

**Subsection (b)** is amended editorially, and also to include the words “or installation instructions” because they are required with the initial application for a permit to construct. The exemptions to the requirement for plans, specifications, or installation instructions for extensions to the permit to construct are subdivided into subsections (1), (2), and (3) so they are easier to find.

**Subsections (1) and (2)** are amended editorially.

**Subsection (3)** is an added requirement that a reapplication will not be exempt if the initial plans have been approved more than two years prior to the request. This is necessary because the plans may need to be updated to current standards, and standards can change

in that time frame. Two years is more than adequate time to complete construction, and there already would have been two extensions granted in that time.

**Subsection (c)** is amended to clarify that fees will not be forfeited if an extension has been granted.

#### **Repeal Section 1040.**

The remains of repealed sections make the regulations confusing and difficult to locate appropriate sections. Because this rulemaking is relocating and amending the contents of this entire chapter, deleting unused sections will clear the regulations of unnecessary sections that have no content.

#### **Amend Section 1042.**

Section 1042 is relocated from section 1052.

The title is amended by adding the word “Public” to Pools” because park pools are constructed as public pools. It is amended to clarify the swimming pool construction requirements and update the building code reference to the current California Building Code. This is necessary because the references are obsolete and so the reader will find current building code requirements for public pool construction.

The authority Note is amended by deleting section 18502.5 because it identifies disposition of the revolving fund, which is unrelated to this section.

The reference note is amended by deleting sections 18502.5, 18503, and 18552 of the Health and Safety Code because section 18502.5 because it identifies disposition of the revolving fund, which is unrelated to this section, section 18503 because it identifies fees, which is unrelated to this section, section 18552 because it accessory building and structure standards, which are unrelated to this section.

#### **Amend Section 1044.**

Section 1044 is amended to change reference to “this subchapter” because the subchapters have been repealed with this rulemaking.

**Subsection (a)** is amended by adding language to make the regulations more specific.

“performed” is added because construction, as used in this chapter, involves more than simple erection of a structure. The words “the express prior” approval is needed to indicate that the approval will be expressed, not implied. The words “person or entity which provided the original approvals and the” is necessary to indicate that the person who approved the original concept is aware of any change in their authorization and that person or entity must reauthorize any modifications.

**Subsection (b)** is amended to include reference to the Health and Safety Code. This is necessary because no permit issuance should be construed as approval for any violation of law as well as the regulations. The provision that a permit may not be valid if the work it authorizes work that violates this chapter or the Health and Safety code or any other provision of law is rewritten for clarity. The “other provisions of law” allow for decisions made by the Public Utilities Commission that may effect changes in construction.

**Subsection (c)** is amended by adding “building or” and “or building component” to be consistent with other references to accessory buildings or structures and building components throughout these regulations. The word “mobilehome” has been struck, because this subsection is not limited to mobilehome use. The other amendments are editorial.

#### **Adopt Section 1045.**

Section 1045 is relocated section 1054. This is necessary to group related sections together.

The words “The provisions of this section relating to” is struck and replaced with

“Requirements for” to be more specific and plain English. The references to the “1985 Edition



of the Uniform Building Code” are obsolete and replaced with the current applicable code for new construction. The remainder of the amendments are editorial and grammatical and do not change the substance of the section.

#### **Amend Section 1046.**

Reference to the Health and Safety Code is added to specify that violations of law, as well as the regulations, also apply. Other amendments are grammatical.

#### **Amend Section 1048.**

The first paragraph is divided into subsections (a) and (b) in order to clarify the requirements for the reader.

**Subsection (a)** is amended as follows:

Add “of the following” to the end of the sentence to indicate that requirements will be listed.

Subsection (a) is further subdivided to clarify the inspection requirements.

**Subsection (a)(1)** is amended to clarify existing language that work requiring inspection that cannot be inspected after it is covered, must be inspected before it is covered.

**Subsection (a)(2)** is amended by adding the word “permanent” because the word “building” is ambiguous and needs to be distinguished from any other type of building within a park.

Permanent buildings in parks, by statute (18214.5), have different construction standards.

**Subsection (a)(3)** is amended by striking the word “mobilehome” because this section is not limited solely to mobilehomes. The words “or building components” are added to be consistent with other references to accessory buildings or structures and building components throughout these regulations. The words “or a miscellaneous structure” have been stricken because they are non-specific and inaccurate.

**Subsection (b)** is amended by adding the words “The above required inspections shall occur” in order to specify a set of requirements that affect other requirements.

**Subsection (1)** is previous subsection (a) the amendments are editorial.

**Subsection (2)** is previous subsection (b) the amendments are editorial.

**Subsection (3)** is previous subsection (c) the amendments are editorial.

**Subsection (4)** is previous subsection (a). It is amended by adding the word “permanent” prior to the word building to distinguish from any other type buildings. The words “accessory building or structure, or building component” are added because they may also have required progress inspections.

Old subsection (e) is stricken because it is duplicative of new language in the previous subsection.

#### **Amend Section 1050.**

Section 1050 is amended by adding the word “all” prior to the word “fees” to make it clear which fees will be in affect. The words “plan checking and” are stricken because not all construction requires a plan check and they are already included in the cost of a permit. It is also amended by replacing the word “such” with “the” for readability, and by deleting “to construct” after “permit” because it is redundant. Other amendments are grammatical.

#### **Repeal Section 1052.**

This section is repealed and renumbered to new section 1042. This is necessary to group related sections together.

#### **Repeal Section 1054.**

This section is repealed and renumbered to new section 1045. This is necessary to group related sections together.